

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/823,207	TIRUMALAI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	William H. Wood	2193	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 21 April 2006.
2. ☒ The allowed claim(s) is/are 1,3-9,11-13 and 15-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gina A. Bibby on 21 June 2006.

The application has been amended as follows:

*Claim 1*

A method of simultaneously optimizing code for at least two target machines, comprising:

abstracting a rule of instruction scheduling for each of said at least two target machines;

generating a hypothetical machine model of a hypothetical machine based on said rule of instruction scheduling for each of said at least two target machines, wherein a rule of instruction scheduling for said hypothetical machine is a restrictive set of said rule of instruction scheduling for each of said at least two target machines; and

optimizing code using said hypothetical machine model, said optimized code targeting said hypothetical machine, wherein said hypothetical machine model is capable of operating on each of said at least two target machines.

Claim 8

Replace lines 11-12 with:

optimizing code using said hypothetical machine model, said optimized code targeting said hypothetical machine, wherein said hypothetical machine model is capable of operating on each of said at least two target machines.

Claim 13

A computer [[An]] apparatus for simultaneously optimizing code for at least two target machines, comprising:

means for abstracting a rule of instruction scheduling for each of said at least two target machines;

means for generating a hypothetical machine model of a hypothetical machine based on said rule of instruction scheduling for each of said at least two target machines, wherein a rule of instruction scheduling for said hypothetical machine is a restrictive set of said rule of instruction scheduling for each of said at least two target machines; and

means for optimizing code using said hypothetical machine model, said optimized code targeting said hypothetical machine, wherein said hypothetical

Art Unit: 2193

machine model is capable of operating on each of said at least two target machines.

Claim 19

Replace lines 1-2 with:

A computer [[An]] apparatus for simultaneously optimizing code for a plurality of target machines, comprising:

Replace lines 11-12 with:

means for optimizing code using said hypothetical machine model, said optimized code targeting said hypothetical machine, wherein said hypothetical machine model is capable of operating on each of said at least two target machines.

Claim 20

Replace lines 1-2 with:

A computer [[An]] apparatus for simultaneously optimizing code for a plurality of target machines, comprising:

Replace lines 12-13 with:

means for optimizing code using said hypothetical machine model, said optimized code targeting said hypothetical machine, wherein said hypothetical

Art Unit: 2193

machine model is capable of operating on each of said at least two target machines.

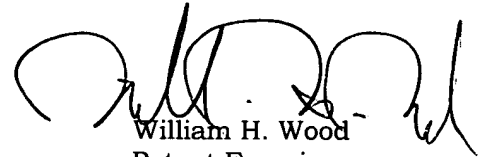
### ***Correspondence Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Wood whose telephone number is (571)-272-3736. The examiner can normally be reached 9:00am - 5:30pm Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)-272-3719. The fax phone numbers for the organization where this application or proceeding is assigned are (571)273-8300 for regular communications.

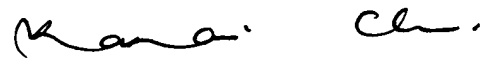
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR systems, see <http://pair-direct.uspto.gov>. For questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.



William H. Wood  
Patent Examiner

AU 2193  
June 21, 2006



KAKALI CHAKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100